

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Request for Review of the	)	
Decision of the	)	
Universal Service Administrator by	)	
	)	
Bayliss Public Library	)	File No. SLD-331064
Sault Ste. Marie, Michigan	)	
	)	
Federal-State Joint Board on	)	CC Docket No. 96-45
Universal Service	)	
	)	
Changes to the Board of Directors of the	)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.	)	

**ORDER**

**Adopted: October 24, 2002**

**Released: October 25, 2002**

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has under consideration a request filed by Bayliss Public Library (Bayliss), Sault Ste. Marie, Michigan.<sup>1</sup> Bayliss seeks review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator), denying Bayliss's request for discounts for telecommunications services.<sup>2</sup> For the reasons set forth below, we affirm SLD's rejection and deny Bayliss's Request for Review.

2. SLD issued a Funding Commitment Decision Letter on May 7, 2002, denying Bayliss's request for discounted services under the schools and libraries universal service support mechanism.<sup>3</sup> Specifically, SLD denied Bayliss's request for discounts for telecommunications services, Funding Request Numbers (FRNs) 895379 and 895380.<sup>4</sup> On July 12, 2002, Bayliss filed an appeal of SLD's decision.<sup>5</sup> On July 26, 2002, SLD issued an Administrator's Decision

<sup>1</sup> Letter from Janus Storey, Bayliss Public Library, to Federal Communications Commission, filed September 3, 2002 (Request for Review).

<sup>2</sup> See Request for Review. Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

<sup>3</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Suzanne Dees, Bayliss Public Library, dated May 7, 2002 (Funding Commitment Decision Letter).

<sup>4</sup> *Id.*

<sup>5</sup> Letter from Janus Storey, Bayliss Catholic School, to Schools and Libraries Division, Universal Service Administrative Company, filed July 12, 2002 (Request for Administrator Review).

on Appeal indicating that it would not consider Bayliss' appeal because it was received more than 60 days after the May 7, 2002 Funding Commitment Decision Letter was issued.<sup>6</sup> Bayliss subsequently filed the instant Request for Review with the Commission.

3. For requests seeking review of decisions issued on or after August 13, 2001 under section 54.720(b) of the Commission's rules, any such appeal must be filed with SLD or the Commission within 60 days of the issuance of the decision that the party seeks to have reviewed.<sup>7</sup> Documents are considered to be filed with the Commission only upon receipt.<sup>8</sup> Because Bayliss's Request for Administrator Review was not filed within the requisite 60-day period, we affirm the Administrator's Decision on Appeal and deny the instant Request for Review.

4. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed by Bayliss Public Library, Sault Ste. Marie, Michigan, on September 3, 2002, IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert  
Deputy Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

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<sup>6</sup> Letter from Schools and Libraries Division, Universal Service Administrative Company, to Janus Storey, Bayliss Public Library, dated July 26, 2002 (Administrator's Decision on Appeal).

<sup>7</sup> 47 C.F.R. § 54.720(b). *See Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, FCC 01-376 (rel. December 26, 2001), as corrected by *Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Errata (Com. Car. Bur. rel. December 28, 2001 and January 4, 2002).

<sup>8</sup> 47 C.F.R. § 1.7.